

# Economic Development, Trade & Banking Committee

**ACTION PACKET** 

#### **Economic Development, Trade & Banking Committee**

3/16/2006 1:30:00PM

Location: 306 HOB

Print Date: 3/16/2006 2:36 pm

#### Attendance:

	Present	Absent	Excused
Gus Bilirakis (Chair)	×	·	
Aaron Bean	X		
Dorothy Bendross-Mindingall	X		
Phillip Brutus	X		
Faye Culp	X		
Joyce Cusack	X		
Don Davis	X		
Nancy Detert	X		
Michael Grant	X		
Adam Hasner	X		
Charlie Justice	X		
Frank Peterman	X		<del></del>
John Quinones	X		
Ken Sorensen	X		
Trudi Williams	X		
Totals:	15	0	0

#### **Economic Development, Trade & Banking Committee**

3/16/2006 1:30:00PM

Location: 306 HOB

HB 825 : Financial Literacy Council

Print Date: 3/16/2006 2:36 pm

X Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Phillip Brutus			X		
Faye Culp	X				
Joyce Cusack	X				
Don Davis			X		
Nancy Detert	· X				
Michael Grant	X				
Adam Hasner	X				
Charlie Justice	Χ.				
Frank Peterman				X	
John Quinones	X				
Ken Sorensen	X				
Trudi Williams	X				
Gus Bilirakis (Chair)	X		-		
	Total Yeas: 12	Total Nays: (	)		

Amendment No. (1)

Bill No. HB 825

#### COUNCIL/COMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)
FAILED TO ADOPT \_\_\_\_\_ (Y/N)
WITHDRAWN \_\_\_\_\_ (Y/N)
OTHER



Council/Committee hearing bill: Economic Development, Trade & Banking Committee

Representative(s) Altman offered the following:

#### Amendment (with title amendment)

Remove everything after the enacting clause and insert: Section 1. Financial Literacy Council.--

- (1) CREATION.--A council, as defined in s. 20.03, Florida Statutes, named the Financial Literacy Council, is created as an adjunct to the Department of Financial Services. The council shall be subject to the provisions of s. 20.052, Florida Statutes.
- (2) PURPOSE. -- The purpose of the council is to study financial problems that affect consumers, particularly young persons, seniors, and working adults, and small businesses which arise from a lack of basic knowledge of financial issues and to provide recommendations to the Department of Financial Services which will assist the department in developing financial literacy programs and resources and providing a single state resource for financial literacy for the general public in order to empower individuals and businesses to manage their financial matters in order to reduce debt, increase savings, and avoid

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bankruptcy. All recommendations are subject to approval by the Chief Financial Officer.

#### (3) COMPOSITION. --

- (a) The council shall consist of nine members who shall be appointed by and serve at the pleasure of the Chief Financial Officer. Six members must be persons having experience in various areas of the financial industry, such as financial institutions, as defined in s. 655.005, Florida Statutes, finance, insurance, real estate, and securities. At least one member must be a person who is not employed by and is not a representative of the financial industry. At least one member must be chosen from a list of three persons submitted to the Chief Financial Officer by a senior advocacy group. At least one member must be chosen from a list of three persons submitted to the Chief Financial Officer by the Florida Council on Economic Education. Appointed members shall include persons who represent rural and urban interests and the ethnic and cultural diversity of the state's population.
- (b) The council shall meet at the call of the chair, who shall be elected by vote of a majority of the council at its first meeting, which shall be called by the Chief Financial Officer. Five of the initial members appointed to the council shall be appointed for terms of 3 years. All other members shall be appointed for terms of 4 years. Members shall serve until their successors are appointed. A vacancy shall be filled for the remainder of the unexpired term.
- (c) Council members shall serve without compensation.

  However, each council member is entitled to reimbursement for per diem and travel expenses pursuant to s. 112.061, Florida Statutes.

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- (d) The Department of Financial Services shall provide administrative and staff support to the council.
  - (4) MEETINGS; PROCEDURES; RECORDS. --
- (a) The business of the council shall be presented to the council in the form of an agenda. The agenda shall be set by the Chief Financial Officer and shall include items of business requested by the council members.
- (b) A majority of the members constitutes a quorum, and action by a majority of a quorum shall be official.
- (c) The minutes for each meeting shall be submitted to the Chief Financial Officer within 14 days after the date of each meeting.
  - (5) POWERS AND DUTIES. -- The council shall:
- (a) Study financial problems that affect consumers, particularly young persons, seniors, and working adults, and small businesses which arise from a lack of basic knowledge of financial issues.
- (b) Study and make recommendations to the department regarding the creation of a single state resource for consumers and small businesses to contact for financial assistance.
- (c) Study and make recommendations as to how the department may help equip small businesses, young people, working adults, and seniors with the tools and resources they need to make informed financial decisions.
- Study and make recommendations as to how the (d) department may help residents of this state learn more about personal finance issues, including, but not limited to, personal savings, applying for loans, managing debt, making sound investment choices, and saving for retirement.
- (e) Study and make recommendations to the department regarding the development of best practices for financial

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- (f) Study and make recommendations as to how the 86 department can serve as an educational forum for resource 87 planning, financial planning, and management issues for small 88 89 businesses.
  - (g) Assist the department in developing written materials that shall be available to educate consumers and small businesses about basic financial issues.
  - (h) Study and make recommendations to the department regarding the establishment of an outreach program to help educate affected persons through public meetings or seminars or through web-based media.
    - (6) RESOURCES.--
  - (a) The council may apply for and accept funds, grants, gifts, and services from the state, the government of the United States or any of its agencies, or any other public or private source for the purpose of defraying clerical and administrative costs as necessary to carry out its duties under this section. All sums received by the council shall be deposited into the Department of Financial Services Administrative Trust Fund. The moneys received and deposited into the trust fund are appropriated for use by the council in carrying out its duties as prescribed by this section.
  - (b) The council shall seek out and, wherever possible, use the talents, expertise, and resources within the state, and especially those of the public school, community college, and state university systems, in furtherance of its mission.
  - (c) The council may procure information and assistance from any state agency, political subdivision, municipal corporation, or public officer.

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(d)	The	counc	cil	may	C001	dinate	with	any	sta	ate	agency,	an	У
political	subo	divisi	.on,	or	any	school	distr	cict	of	the	state	in	
the furth	erano	ce of	its	mis	ssion	1.							

- Opecember 31, 2011. Upon expiration, any funds remaining in the Financial Literacy Council account of the Department of Financial Services Administrative Trust Fund shall be appropriated to the department to fund the activities that the department has implemented pursuant to the recommendations of the council.
- (8) REPORTS.--Beginning January 1, 2008, the council shall report annually on January 1 to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the activities carried out under this section, including expenditures and funding.

Section 2. For the 2006-2007 fiscal year, the sum of \$50,000 in nonrecurring funds is appropriated from the Department of Financial Services Administrative Trust Fund in the specific appropriation category "Financial Literacy Council" to the Financial Literacy Council created by this act. The appropriation is contingent upon prior receipt of grant funds or private contributions by the council for the purposes of this act. This section does not entitle the Financial Literacy Council to expend funds from the Administrative Trust Fund in an amount greater than the amount of grant funds or private contributions received by the council and deposited into the Administrative Trust Fund pursuant to this act.

Section 3. This act shall take effect July 1, 2006.

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effective date.

Remove the entire title and insert:

A bill to be entitled

An act relating to the Financial Literacy Council; creating the council; providing purposes; providing for membership; providing for reimbursement for per diem and travel expenses; providing for meetings, procedures, and records; providing powers and duties of the council; providing for resources of the council; requiring that any funds received by the council be deposited in the Administrative Trust Fund; providing for expiration of the council; requiring annual reports to the Governor and Legislature; providing a contingent appropriation; providing for construction; providing a limitation on expenditures of certain grant funds; providing an

#### **Economic Development, Trade & Banking Committee**

3/16/2006 1:30:00PM

Location: 306 HOB

HB 847 : City of Jacksonville, Duval County

X	Favorable					
		Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Aaı	on Bean	X				
Do	rothy Bendross-Mindingall	X				
Phi	llip Brutus			X		
Fay	ve Culp	X				
Joy	ce Cusack	X				
Do	n Davis	X				
Nai	ncy Detert	X				
Mic	hael Grant	X				
Ada	am Hasner	X				
Cha	arlie Justice	X				
Fra	nk Peterman				X	
Joh	n Quinones	X				
Ker	n Sorensen	X				
Tru	ıdi Williams	X				
Gu	s Bilirakis (Chair)	X				
		Total Yeas: 13	Total Nays: (	0		

#### **Economic Development, Trade & Banking Committee**

3/16/2006 1:30:00PM

Location: 306 HOB

HB 865 : Enterprise Zone Incentives to Serve the Uninsured

	Yea	Nay	No Vote	Absentee	Absentee
	7 ea	Nay	NO VOIC	Yea	Nay
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Phillip Brutus			X		
Faye Culp	X				
Joyce Cusack	X				
Don Davis	X				
Nancy Detert	X				
Michael Grant	X				
Adam Hasner	X				
Charlie Justice	X				
Frank Peterman				X	
John Quinones	X				
Ken Sorensen	X				
Trudi Williams	X				
Gus Bilirakis (Chair)	X				
	Total Yeas: 13	Total Nays:	0		

Amendment No. (1)

OTHER

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Bill No. HB 865

#### COUNCIL/COMMITTEE ACTION

ADOPTED		(Y/N)
ADOPTED AS AMENDED		(Y/N)
ADOPTED W/O OBJECTION	$\overline{\checkmark}$	(Y/N)
FAILED TO ADOPT		(Y/N)
WITHDRAWN	_	(Y/N)



Council/Committee hearing bill: Economic Development, Trade & Banking Committee

Representative(s) Quinones offered the following:

#### Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Paragraph (r) of subsection (5) of section 212.08, Florida Statutes, is created to read:

- (5) EXEMPTIONS; ACCOUNT OF USE. --
- (r) Medical equipment and supplies used in an enterprise
  zone.-
- 1. Beginning on January 1, 2007, medical equipment and supplies purchased for use by health care facilities that serve uninsured patients located in an enterprise zone which are subsequently used in an enterprise zone shall be exempt from the tax imposed by this chapter. This exemption inures to the health care facility only through a refund of previously paid taxes. A refund shall be authorized upon an affirmative showing by the taxpayer to the satisfaction of the department that the requirements of this paragraph have been met.

development agency having jurisdiction over the enterprise zone

where the health care facility is located, as applicable, an

2. To receive a refund, the health care facility must file

application which includes:

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a. The name and address of the health care facility claiming the refund.

under oath with the governing body or enterprise zone

- b. The identifying number assigned pursuant to s. 290.0065 to the enterprise zone in which the health care facility is located.
- c. A specific description of the medical equipment for which a refund is sought, including their serial numbers or other permanent identification numbers.
- d. A specific description of the medical supplies for which a refund is sought, including serial or lot numbers or other numbers identifying the purchased supplies.
- e. The sales invoice or other proof of purchase of the medical equipment or supplies, showing the amount of sales tax paid, the date of purchase, and the name and address of the sales tax dealer from whom the medical equipment and supplies were purchased.
- f. A statement that the health care facility serves uninsured patients.
  - g. A statement defining the taxpayer's taxable year.
- 3. Within 10 working days after receipt of an application, the governing body or enterprise zone development agency shall review the application to determine if it contains all the information required pursuant to subparagraph 2. and meets the criteria set out in this paragraph. The governing body or agency shall certify all applications that contain the information required pursuant to subparagraph 2. and meet the criteria set

- out in this paragraph as eligible to receive a refund. The certification shall be in writing, and a copy of the certification shall be transmitted to the executive director of the Department of Revenue. The health care facility shall be responsible for forwarding a certified application to the department within the time specified in subparagraph 4.
- 4. An application for a refund pursuant to this paragraph must be submitted to the department within 6 months after the close of the taxable year during which the eligible medical equipment or supplies were purchased.
- 5. The provisions of s. 212.095 do not apply to any refund application made pursuant to this paragraph. This exemption shall apply to the first \$500,000 of taxable medical equipment and supplies purchased by a health care facility and used in the facility in any taxable year. No refund shall be granted under this paragraph unless the amount to be refunded exceeds \$100 in sales tax paid on purchases made within a 60-day time period. No refund shall be granted under this paragraph for medical equipment or supplies eligible for exemption pursuant to s. 212.08(2), or eligible for a refund pursuant to s. 212.08(5)(h).
- 6. The department shall adopt rules governing the manner and form of refund applications and may establish guidelines as to the requisites for an affirmative showing of qualification for exemption under this paragraph.
- 7. If the department determines that the medical equipment and supplies are used outside an enterprise zone within 3 years from the date of purchase, the amount of taxes refunded to the health care facility purchasing such medical equipment and supplies shall immediately be due and payable to the department by the health care facility, together with the appropriate interest and penalty, computed from the date of purchase, in the

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paragraph, a health care facility may dispose of disposable supplies according to law. 8. The department shall deduct an amount equal to 10

manner provided by this chapter. Notwithstanding this sub-

- percent of each refund granted under the provisions of this paragraph from the amount transferred into the Local Government Half-cent Sales Tax Clearing Trust Fund pursuant to s. 212.20 for the county area in which the medical equipment and supplies are located and shall transfer that amount to the General Revenue Fund.
- 9. For the purposes of this exemption, "medical equipment" means durable medical equipment that can be used repeatedly that serves a medical purpose in the diagnosis, treatment or care of an individual.
- 10. For the purposes of this exemption, "medical supplies" means items that are consumable, expendable, disposable or nondurable that serve a medical purpose in the diagnosis, treatment or care of an individual.
- 11. For the purposes of this exemption, "health care facility" means a facility licensed pursuant to chapter 395 or a county health department, a children's medical services program, a federally qualified health center, a federally funded migrant health center, rural clinic, or other publicly funded community health program, and other programs designated by the Department of Health as a community health center that provide primary care services to the uninsured.
- 12. This paragraph expires on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.
  - Section 2. Subsection (2) and paragraph (a) of subsection
- (9) of section 290.0056, Florida Statutes, are amended to read: 290.0056 Enterprise zone development agency.--

Amendment No. (1)

(2) When the

(2) When the governing body creates an enterprise zone
development agency, that body shall appoint a board of
commissioners of the agency, which shall consist of not fewer
than 8 or more than 13 commissioners. The governing body may
appoint at least one representative from each of the following:
the local chamber of commerce; local financial or insurance
entities; local businesses and, where possible, businesses
operating within the nominated area; the residents residing
within the nominated area; nonprofit community-based
organizations operating within the nominated area; health care
facilities operating within the nominated area; the regional
workforce board; the local code enforcement agency; and the
local law enforcement agency. One of the commissioners on the
board may be employed in the health care field, provided such
requirement applies only when a position on the board becomes
vacant after July 1, 2007, and appointment of a new commissioner
is required to fill the vacancy or an additional member is to be
appointed after July 1, 2007. The terms of office of the
commissioners shall be for 4 years, except that, in making the
Commissioners share so for 1 years, energy that, in manners
initial appointments, the governing body shall appoint two
initial appointments, the governing body shall appoint two
initial appointments, the governing body shall appoint two members for terms of 3 years, two members for terms of 2 years,
initial appointments, the governing body shall appoint two members for terms of 3 years, two members for terms of 2 years, and one member for a term of 1 year; the remaining initial
initial appointments, the governing body shall appoint two members for terms of 3 years, two members for terms of 2 years, and one member for a term of 1 year; the remaining initial members shall serve for terms of 4 years. A vacancy occurring
initial appointments, the governing body shall appoint two members for terms of 3 years, two members for terms of 2 years, and one member for a term of 1 year; the remaining initial members shall serve for terms of 4 years. A vacancy occurring during a term shall be filled for the unexpired term. The
initial appointments, the governing body shall appoint two members for terms of 3 years, two members for terms of 2 years, and one member for a term of 1 year; the remaining initial members shall serve for terms of 4 years. A vacancy occurring during a term shall be filled for the unexpired term. The importance of including individuals from the nominated area
initial appointments, the governing body shall appoint two members for terms of 3 years, two members for terms of 2 years, and one member for a term of 1 year; the remaining initial members shall serve for terms of 4 years. A vacancy occurring during a term shall be filled for the unexpired term. The importance of including individuals from the nominated area shall be considered in making appointments. Further, the
initial appointments, the governing body shall appoint two members for terms of 3 years, two members for terms of 2 years, and one member for a term of 1 year; the remaining initial members shall serve for terms of 4 years. A vacancy occurring during a term shall be filled for the unexpired term. The importance of including individuals from the nominated area shall be considered in making appointments. Further, the importance of minority representation on the agency shall be

#### Amendment No. (1)

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(9) The following powers and responsibilities shall be
performed by the governing body creating the enterprise zone
development agency acting as the managing agent of the
enterprise zone development agency, or, contingent upon approva
by such governing body, such powers and responsibilities shall
be performed by the enterprise zone development agency:

- (a) To review, process, and certify applications for state enterprise zone tax incentives pursuant to ss. 212.08 (5)(g), (h),  $\underline{\text{(r)}}$  and (15); 212.096; 220.181; and 220.182.
  - Section 3. This act shall take effect January 1, 2007.

Remove the entire title and insert:

A bill to be entitled

An act relating to enterprise zone incentives to serve the uninsured; amending s. 212.08, F.S.; providing for an exemption by refund from the tax on sales, use, and other transactions of certain medical equipment and supplies purchased and used by certain health care facilities or community health centers located in enterprise zones; providing a limitation; providing application requirements; providing procedures and limitations for the refund; providing duties of the local governing body or enterprise zone development agency; providing duties of the Department of Revenue; requiring the department to adopt rules; providing for return of the refund under certain circumstances; providing definitions; 'providing for expiration under certain circumstances; amending s. 290.0056, F.S.; providing an additional recommendation for the membership of an enterprise zone development agency

## HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES Amendment No. (1)

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board of commissioners under certain circumstances; providing a limitation; providing an effective date.

#### **Economic Development, Trade & Banking Committee**

3/16/2006 1:30:00PM

Location: 306 HOB

**HB 1143**: Economic Development Incentives

X	Favorable With Committee Substi	tute				
		Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Aaı	ron Bean	X				
Do	rothy Bendross-Mindingall	X				
Phi	illip Brutus	X				
Fay	ye Culp	X				
Joy	yce Cusack	X				
Do	n Davis	X				
Na	ncy Detert	X				
Mic	chael Grant	X			•	
Adam Hasner		X				
Cha	arlie Justice	X				
Fra	ank Peterman	X				
Joh	nn Quinones	X				
Kei	n Sorensen	X				
Tru	ıdi Williams	X				
Gu	s Bilirakis (Chair)	X				

Total Nays: 0

Total Yeas: 15

#### **Appearances:**

Economic Development Lex Veech (Lobbyist) - Proponent Orange County Convention Center PO Box 691509 Orlando FL 32869

Phone: 407-685-5505

Print Date: 3/16/2006 2:36 pm

Amendment No. (1)

Bill No. **HB 1143** 

	COUNCIL/COMMITTEE ACTION
	ADOPTED (Y/N)
	ADOPTED AS AMENDED (Y/N)
	ADOPTED W/O OBJECTION $\sqrt{}$ $\sqrt{}$ $\sqrt{}$ $\sqrt{}$ $\sqrt{}$
	FAILED TO ADOPT (Y/N)
	WITHDRAWN (Y/N)
	OTHER
1	Council/Committee hearing bill: Economic Development, Trade &
2	Banking Committee
3	Representative(s) McInvale offered the following:
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5	Amendment (title amendment)
6	Remove line(s) 236-243 and renumber subsequent subsections.
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9	========= T I T L E A M E N D M E N T =========
10	Remove line(s) 15-16 and insert:
11	local government under the act; providing for revocation of

#### **Economic Development, Trade & Banking Committee**

3/16/2006 1:30:00PM

Location: 306 HOB

Print Date: 3/16/2006 2:36 pm

PCB EDTB 06-03 : Internet Phishing

X Favorable					
	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Aaron Bean	X				
Dorothy Bendross-Mindingall	X				
Phillip Brutus	X				
Faye Culp	· X	-			
Joyce Cusack				X	
Don Davis	X				
Nancy Detert	X	-			
Michael Grant	X				
Adam Hasner	X		•		
Charlie Justice	X			,	
Frank Peterman	,			X	
John Quinones	X				
Ken Sorensen	X				
Trudi Williams	X				
Gus Bilirakis (Chair)	X				
	Total Yeas: 13	Total Nays: 0	)		

Amendment No. (1)

16.

Bill No. PCB EDTB 06-03

COUNCIL/COMMITTEE A	ACTION
ADOPTED	(Y/N)
ADOPTED AS AMENDED	$ (Y/N)$ $(\Sigma)$
ADOPTED W/O OBJECTION	$\sqrt{(\mathbb{Y}/N)}$
FAILED TO ADOPT	(Y/N)
WITHDRAWN	(Y/N)
OTHER	
Council/Committee hearing	ng bill: Economic Development, Trade &
Banking Committee	
Representative(s) Detert	offered the following:

#### Amendment (with title amendment)

Remove line(s) 121-124 and insert: 668.6080 Exemption.--

- (1) This part does not apply to a telecommunication provider's or Internet service provider's good faith transmission or routing of, or intermediate temporary storing or caching of, identifying information.
- (2) No provider of an interactive computer service shall be liable under state law for removing or disabling access to content that resides on an Internet website or other online location controlled or operated by such provider if such provider believes in good faith that the content is used to engage in a violation of this part.

Amendment No. (1)

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19 ======= T I T L E A M E N D M E N T ========

20 Remove line(s) 16-17 and insert:

Trust Fund; providing rulemaking authority; providing exemptions; providing an effective date.

#### **Economic Development, Trade & Banking Committee**

3/16/2006 1:30:00PM

Location: 306 HOB

**Summary:** 

**Economic Development, Trade & Banking Committee** 

Thursday March 16, 2006 01:30 pm

HB 825	Favorable With Committee Substitute	Yeas:	12	Nays:	0
HB 847	Favorable	Yeas:	13	Nays:	0
НВ 865	Favorable With Committee Substitute	Yeas:	13	Nays:	0
HB 1143	Favorable With Committee Substitute	Yeas:	15	Nays:	0
PCB EDTB 06-03 Favorable		Yeas:	13	Nays:	0

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